1

2

3

4

5

6

7

8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11   DEMOND CHARLES BRACKETT,   No. 2:21-cv-02282-KJM-JDP (PC)

12   Plaintiff,

13   v.   ORDER

14   WENDELL ANDERSON, et al.,

15   Defendants.

16

17   Plaintiff, a county inmate proceeding pro se, has filed this civil rights action seeking relief

18   under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided

19   by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20   On May 1, 2023, the magistrate judge filed findings and recommendations, which were

21   served on all parties and which contained notice to plaintiff that any objections to the findings and

22   recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the

23   findings and recommendations.

24   The court presumes that any findings of fact are correct. *See Orand v. United States*,

25   602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed

26   de novo. *See Robbins v. Carey,* 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law

27   by the magistrate judge are reviewed de novo by both the district court and [the appellate] court
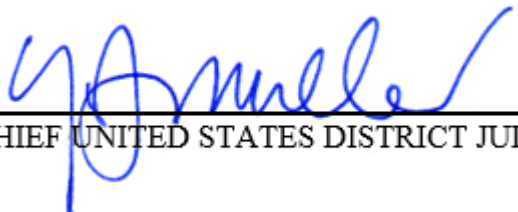
28   /////

                                      1

1   . . . ."). Having reviewed the file, the court finds the findings and recommendations to be

2   supported by the record and by the proper analysis.

3   Accordingly, IT IS HEREBY ORDERED that:

4   1. The findings and recommendations filed May 1, 2023, are adopted in full;

5   2. All other claims and defendants are dismissed without leave to amend for failure to

6   state a viable claim; and

7   3. This matter is referred back to the assigned magistrate judge for all further pretrial

8   proceedings.

9   DATED: July 21, 2023.

10

11   _____

12   CHIEF UNITED STATES DISTRICT JUDGE

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28